

HOUSE BILL 86

By Marsh

AN ACT to amend Tennessee Code Annotated, Title 64,
Chapter 1, Part 6, relative to the Tennessee Duck
River development agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 64-1-601, is amended by deleting subsection (c) and substituting instead:

(c) Each county, municipality, other governmental agency, and commercial and industrial customer that withdraws water from the Duck River basin that requires an aquatic resource alterations permit (ARAP) from this state is a sponsoring and participating entity.

SECTION 2. Tennessee Code Annotated, Section 64-1-603, is amended by adding the following as a new subsection:

(c)

(1) The agency shall set, using recommendations from the Duck River agency technical advisory committee, a per thousand-gallon fee to charge participating entities for water withdrawals.

(2) The fee must be set at a rate sufficient to cover the administrative costs to run the agency, the costs of agency programs and regional water supply projects, and any other needs the agency deems necessary to accomplish its mission.

(3) The agency shall review the fee amount set in subdivision (c)(1) on a periodic basis and adjust it in accordance with the requirements under subdivision (c)(2).

(4) The participating entities shall deposit the funds owed into a trust designated by the agency in a manner and on a schedule determined by the agency.

SECTION 3. Tennessee Code Annotated, Section 64-1-605, is amended by deleting the following language:

The counties of Coffee, Bedford, Marshall and Maury and the towns and incorporated municipalities therein and other governmental entities electing to become a sponsoring and participating governmental entity pursuant to § 64-1-601(c) are hereby authorized and empowered to:

and by substituting instead the following:

A county, municipality, or other governmental agency that is a sponsoring and participating governmental entity pursuant to § 64-1-601(c) may:

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.